

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROB JOSEPH SIMMONS,
Petitioner,

v.

MAGUIRE CORRECTIONAL
FACILITY,
Respondent.

Case No. 21-04365 EJD (PR)

ORDER OF DISMISSAL

On June 7, 2021, Petitioner, a state prisoner, filed a two-page letter which was construed as an attempt to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Dkt. No. 1. On the same day, the Clerk sent Petitioner two separate notices directing him: (1) to file a petition on the Court's form, Dkt. No. 2, and (2) to either pay the filing fee or file a complete application for leave to proceed in forma pauperis ("IFP") within twenty-eight days from the date of the notice to avoid dismissal, Dkt. No. 3.

The deadline has passed, and Petitioner has failed to respond to either notice. Accordingly, the action is **DISMISSED** without prejudice for failure to pay the filing fee.

IT IS SO ORDERED.

Dated: 8/13/2021



EDWARD J. DAVILA
United States District Judge